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The safety of journalists and the issue of impunity

Report of the Secretary-General

Summary

The present report, submitted pursuant to the request of the General Assembly in its resolution 69/185, describes developments with regard to the safety of journalists and media workers, as well as initiatives undertaken to ensure their protection.

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I. Introduction

1. The General Assembly, in its resolution 69/185 on the safety of journalists and the issue of impunity, which builds on resolution 68/163, the first Assembly resolution on the topic, condemned all attacks and violence against journalists, as well as the pervasive impunity for such crimes, and called upon States to create and maintain a safe and enabling environment for journalists, to prevent crimes against journalists and to hold perpetrators of such crimes accountable. In that resolution, the Assembly also requested the Secretary-General to submit a report on the implementation of the resolution to it at its seventieth session and to the Human Rights Council at its thirtieth session. The present report has been prepared in accordance with that request.

2. The report highlights relevant developments since the submission of the previous report of the Secretary-General (A/69/268) and provides an update on the safety of journalists and media workers, as well as an overview of initiatives undertaken to ensure their protection. For its preparation, contributions were received from States, intergovernmental organizations, national human rights institutions, non-governmental and other organizations in response to a request from the Office of the United Nations High Commissioner for Human Rights (OHCHR).[1]

II. Situation regarding the safety of journalists and media workers

Sobering statistics

3. In his previous report, the Secretary-General expressed deep concern about the upward trend in the number of journalists killed in recent years, as well as the increased targeting of journalists to silence them. He also highlighted the near absolute impunity for crimes against journalists and media workers. Developments in 2014 and 2015 do not allow for more optimistic conclusions. Recent murders of journalists have made headlines throughout the world, including those of James Foley, Steve Sotloff and Kenji Goto in the Syrian Arab Republic, and those of eight journalists in the attack on the offices of *Charlie Hebdo* in Paris. These reprehensible acts were, however, only the tip of the iceberg.

[1] Responses were received from the following States: Bahrain, Bosnia and Herzegovina, Colombia, Cuba, El Salvador, Georgia, Greece, Guatemala, Jordan, Lebanon, Lithuania, Morocco, Paraguay, Qatar, Serbia, Slovakia, the Sudan, the Netherlands, Ukraine, the United States of America, Venezuela (Bolivarian Republic of), and Zambia; responses were also received from the Organization of Islamic Cooperation and the representative of the Organization for Security and Cooperation in Europe on freedom of the media. Responses were received from the national human rights institutions of the following States: Azerbaijan, Chile, Colombia, Ecuador, Georgia, Greece, Guatemala, Luxembourg, Mexico and Slovakia. Responses were also received from the following non-governmental and other organizations: Americans for Democracy and Human Rights in Bahrain, Centre for Freedom of the Media (University of Sheffield, United Kingdom), Committee to Protect Journalists, Commonwealth Journalists Association, International Committee of the Red Cross, International Federation of Journalists, International Service for Human Rights, Reporters Without Borders and Rural Media Network Pakistan. The report has also benefitted considerably from the contributions received from the United Nations Educational, Scientific and Cultural Organization (UNESCO).

4. In November 2014, the United Nations Educational, Scientific and Cultural Organization (UNESCO) published the most recent report of the Director-General on the "Safety of Journalists and the Danger of Impunity",[2] which included an analysis of the killings of 593 journalists, media workers or social media producers between 1 January 2006 and 31 December 2013, which generated a significant amount of public interest journalism and which have been publicly condemned by the Director-General of UNESCO. With 123 killings, 2012 constituted the deadliest year for journalists since the report was first compiled in 2008. In 2013, the overall number of condemned killings was 91. The numbers for 2014 (86) and the first half of 2015 (40) were similar. The UNESCO list for 2013, 2014 and the first half of 2015 states that most killings occurred in Iraq (22), the Syrian Arab Republic (17), Brazil (13), Mexico (12), Pakistan (12), the Philippines (11), Somalia (11), Ukraine (9), Colombia (8), France (8),[3] Libya (8), the State of Palestine (8), Egypt (7), Honduras (7), Paraguay (7) and Yemen (7).

5. The UNESCO report found that "traditional media" was the most affected by fatal attacks. The highest number of killings was among print journalists, with 244 killed (41%) between 2006 and 2013, followed by television journalists with 154 killed (26%) and radio journalists, with 123 killed (21%). Journalists working exclusively online, such as bloggers, were also subject to fatal attacks. Most notably, 33 web-based journalists (5.6%) were killed in the Syrian Arab Republic in 2012. The vast majority of the 593 journalists killed between 2006 and 2013 (94%) were local rather than international journalists, and approximately 94% were men.

6. The figures collated by civil society organizations show similarly worrisome trends. In 2014, the Committee to Protect Journalists documented the killing of 61 journalists and 11 media workers in relation to their work (for which the motive was considered confirmed). For the first six months of 2015, the Committee has already documented 33 such killings. Most of those killed in 2014 covered politics (69%), war (59%) or human rights (54%), and nearly half (44%) worked online.[4] According to the Committee, from 1992 to July 2015, a total of 1,135 journalists were killed because of their profession. The Committee also reported that between 1 June 2014 and 31 May 2015, 82 journalists went into exile with support from its journalist assistance programme, and that 221 journalists were detained for their work in 2014. In 60 per cent of these cases, journalists were detained on charges such as subversion or terrorism, and 20 per cent were held without charge. More than 50 per cent of these journalists were working online.

7. Reporters Without Borders reported that 99 journalists, media workers and citizen journalists were killed between 18 December 2013, the date of adoption of the first General Assembly resolution on the safety of journalists and the issue of impunity (resolution 68/163), and 18 December 2014 when the Assembly adopted resolution 69/185 on the same subject.[5] During the same period, the organization counted 178 journalists, media workers and "citizen journalists" who were detained; 139 who had gone into exile; 853 who had been arrested; and 1,846 who had been victims of threats or aggression. Reporters Without Borders considers the areas under control of the Islamic State in Iraq and the Levant (ISIL) in both Iraq and the

[2] CI-14/CONF.202/4 Rev.2.

[3] These eight killings all occurred in the course of a single incident.

[4] See www.cpj.org.

[5] See www.rsf.org.

Syrian Arab Republic, the eastern part of Libya, the Baluchistan region of Pakistan, the Donetsk and Luhansk regions in Ukraine and the Antioquia region in Colombia to be the most dangerous for journalists. The International Federation of Journalists reported 55 journalists and media staff killed in the first six months of 2015,[6] and the Press Emblem Campaign counted 72 journalists killed in the same period.[7]

Pervasive impunity

8. With respect to bringing the perpetrators of killings or attacks against journalists to justice, impunity remains pervasive. The 2014 UNESCO report, *World Trends in Freedom of Expression and Media Development*, found that, between 2007 and 2012, less than one in ten cases of killings of journalists had led to a conviction.[8] This harsh reality was confirmed in the most recent report of the Director-General of UNESCO on the "Safety of Journalists and the Danger of Impunity". During the period from 2006 to 2013, only 36 out of the 62 countries where killings of journalists had taken place had responded to the Director-General's request for information about the status of judicial inquiry into the killings. The Director-General received information on 211 out of 593 cases. Out of the 593 cases, information showed that only 39 cases had been resolved (6.6%). Of the remainder, 172 cases, or 29 per cent, were still ongoing and no information was received with regard to the remaining 382 cases (64%). The very low response rate to the UNESCO call for information, combined with the overall low rate of convictions for the killing of journalists, continues to call into question the commitment of many States to the effective protection of journalists.

9. In October 2014, the Committee to Protect Journalists published its report "The Road to Justice: Breaking the Cycle of Impunity in the Killings of Journalists". While the report found that impunity rates had increased steadily over the past decade in most countries, and that in places with widespread impunity journalists were vulnerable to new acts of violence, it also recorded twice as many convictions for the murders of journalists in 2013 than the previous high mark in 2004. While the absolute number of convictions remained extremely low, the Committee cautiously concluded that this might indicate that domestic and international pressure is starting to produce change. Nevertheless, progress is meagre. Sustained and focused attention remains necessary to reverse the deeply entrenched impunity for crimes against journalists.

10. Impunity thrives in situations of conflict or pervasive armed violence. However, when States fail to protect journalists, and to investigate and prosecute attacks against them, it is often the result of a lack of political commitment. Impunity also flows from deficits in the rule of law and general disrespect for human rights: abuse of power, corruption, flawed legal frameworks, weak law enforcement and weak judicial institutions, or a combination thereof. Addressing such underlying issues and nurturing a culture of respect for human rights, the rule of law and democracy is therefore paramount.

[6] See www.ifj.org.

[7] See www.pressemblem.ch.

[8] See UNESCO, *World Trends in Freedom of Expression and Media Development* (Paris, 2014).

Safety of journalists in counter-terrorism contexts

11. Concerns about the safety of journalists arise in a wide variety of countries and situations. It is sometimes suggested that discussions regarding the safety of journalists should focus on situations of armed conflict, and attacks on journalists by terrorist groups such as ISIL may suggest that the principal perpetrators are non-State actors. However, while journalists are undeniably at particular risk in war zones and non-State armed groups have indeed targeted them, the majority of killings of journalists between 2006 and 2013 occurred outside situations of armed conflict. Moreover, journalists are frequently intimidated and subject to violence at the hand of a wide range of both non-State and State actors.

12. Of particular concern is the safety of journalists in the context of counter-terrorism measures. The world is facing serious security threats, including from terrorist groups, some of whom have also directly targeted journalists to amplify their message and suppress freedom of expression. In response to such threats, some States have taken measures that directly affect journalists and their human rights. For example, broad-reaching surveillance practices have infringed on the right to privacy and have made it difficult for journalists to do their work and to operate in safety. Some States have enacted broadly formulated counter-terrorism legislation with vague definitions of terrorism that allow for arbitrary or discriminatory enforcement. Legislation has also been misused to target journalists, including — in some States — by equating legitimate expressions of criticism, protest and opposition to the Government with terrorism, thereby effectively criminalizing freedom of expression.[9] This leaves journalists in a particularly vulnerable position, at risk of both terrorists and Government responses to terrorism that breach their human rights.

13. States have a duty to take measures to protect populations from violence and insecurity and to deliver justice. However, such measures must at all times be grounded in respect for international human rights law. Freedom of expression and media freedom, two essential pillars of democracy and rule of law, cannot be unreasonably curtailed in the fight against terrorism, since insecurity and terrorism thrive in times that witness the erosion of the rule of law and disrespect for human rights. In his address to the Human Rights Council in March 2015, the United Nations High Commissioner for Human Rights warned that the major obstacle to freedom of expression were restrictions placed on it by Governments.[10]

Safety of journalists in the digital age

14. The digital age has created a wealth of opportunities for the dissemination of information and opinions, but it also carries new risks. Digital surveillance, data retention, anonymity policies and technologies, data localization and domain name blocking may have far-reaching and sometimes unintended consequences on media freedom and the safety of journalists, and they can have a chilling effect on their freedom of expression as it becomes more difficult for them to communicate with sources and to share and develop ideas, possibly leading to an imposition of self-

[9] For a full overview, see the report of the United Nations High Commissioner for Human Rights on the protection of human rights and fundamental freedoms while countering terrorism (A/HRC/28/28).

[10] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15642&LangID=E#sthash.SI6Lz6k5.dpuf.

censorship. In some States, individuals identified as dissidents, sometimes on the basis of information obtained through digital surveillance, have been arrested and have alleged to have been subjected to torture or other cruel, inhuman or degrading treatment or punishment.

15. Several recent thematic reports offer in-depth analyses of the challenges that journalists face in the digital age. In a 2014 report on the right to privacy in the digital age (A/HRC/27/37), the Office of the United Nations High Commissioner for Human Rights (OHCHR) examined the protections afforded by international human rights law regarding privacy, including the meaning of "interference with privacy" in online communications, the definition of "arbitrary and unlawful" interference in this context and the question of whose rights are protected, and where. In March 2015, UNESCO launched its publication, *Building Digital Safety for Journalism*, a study of key digital threats facing journalists and their sources.[11]

16. In his report to the Human Rights Council, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression addressed the use of encryption and anonymity in digital communications (A/HRC/29/32). He argued that encryption and anonymity provide the privacy and security necessary to exercise the right to freedom of opinion and expression in the digital age, noting that encryption and anonymity tools have become vital for journalists to exercise their profession and their human rights freely. For example, journalists rely on encryption and anonymity to shield themselves and their sources, clients and partners from surveillance and harassment. The Special Rapporteur concluded that encryption and anonymity deserve strong protection and recommended that legislation and regulations protecting journalists also enable access and provide support to technologies to secure and protect their communications. A report of the Special Rapporteur on extrajudicial, summary or arbitrary executions addressed another aspect of this issue through a survey of existing applications of information and communications technologies for promoting, protecting and monitoring human rights (A/HRC/29/37). These applications include alert applications that journalists can use to send a signal that they are in danger.

III. Legal framework for the protection of journalists and media workers

17. The previous report of the Secretary-General laid out the applicable international legal framework for the protection of journalists and media workers, referring to international human rights law and international humanitarian law.[12] The Secretary-General noted that the international legal framework was in place, but emphasized that the major challenge remained to ensure compliance with this framework and to guarantee that perpetrators are held accountable for attacks against journalists. Those conclusions remain valid for this reporting period.

[11] See www.unesco.org/new/en/media-services/single-view/news/building_digital_safety_for_journalism_unesco_launches_a_new_publication/.

[12] A/69/268, paras. 10-12.

IV. Initiatives undertaken to ensure the safety of journalists and media workers

A. Security Council and General Assembly

18. On 27 May 2015, the Security Council adopted resolution 2222 (2015) on the safety of journalists in situations of armed conflict, the first thematic resolution on the safety of journalists since its resolution 1738 (2006). In that resolution, the Council recognized the important early warning role that journalists, media professionals and associated personnel can play in protection of civilians and conflict prevention by identifying and reporting situations that could result in international crimes and expressed its concern at the frequency of acts of violence against journalists in armed conflict, the growing threat posed by terrorist groups, and the impunity for crimes committed against journalists. Between 1 July 2014 and 30 June 2015, the Security Council also referred to the safety of journalists in country-specific resolutions concerning Afghanistan (resolution 2210 (2015)), the Syrian Arab Republic (resolutions 2165 (2014) and 2191 (2014)), Somalia (resolution 2182 (2014)), and the Sudan and South Sudan (resolutions 2187 (2014), 2206 (2015) and 2223 (2015)).

19. In resolution 2222 (2015), the Security Council requested that the Secretary-General consistently include the issue of the safety of journalists as a sub-item in his reports on the protection of civilians in armed conflict and reflect information on attacks and violence against journalists and actions taken to prevent such incidents as a specific aspect in relevant country reports. In the past year, the Secretary-General has brought several situations of concern to the attention of the Council, including in his reports on Iraq (S/2014/774), Libya (S/2015/144), Somalia (S/2015/331) and South Sudan (S/2015/296).

20. A high-level debate in the Security Council preceded the adoption of resolution 2222 (2015). In his briefing, the Deputy Secretary-General proposed five concrete ways in which the Security Council could advance the agenda: (a) unequivocally and consistently condemn the killing of journalists in conflict situations, including when it concerns local journalists; (b) continue to hold regular debates on the protection of journalists, including briefings by journalists, civil society and relevant United Nations and regional mandate holders; (c) encourage Security Council-authorized missions to look into safety of journalists as part of protection of civilians mandates; (d) encourage such missions to ensure that freedom of expression and the safety of journalists are integral parts of human rights and justice reforms; and (e) support the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity.

B. United Nations human rights system

Human Rights Council and its mechanisms

21. Following its panel discussion on the safety of journalists on 11 June 2014 (A/HRC/27/35), the Human Rights Council adopted resolution 27/5, which builds on resolution 21/12 of 2012 on the safety of journalists. In resolution 27/5, the Council acknowledged the particular vulnerability of journalists to becoming targets of unlawful or arbitrary surveillance and/or interception of communications, in

violation of their rights to privacy and freedom of expression. The Council specifically called upon States to develop and implement strategies for combating impunity for violence against journalists, including by using, where appropriate, good practices such as those identified during the panel discussion of 11 June 2014 and/or compiled in the OHCHR report on good practices on the safety of journalists (A/HRC/24/23).

22. Specific concerns regarding the safety of journalists have been brought to the attention of the Human Rights Council on numerous occasions during its twenty-seventh, twenty-eighth and twenty-ninth sessions, including in the findings of the Secretary-General regarding the safety of journalists in his reports on the situation of human rights in Cambodia (A/HRC/27/43) and the Islamic Republic of Iran (A/HRC/28/26). OHCHR raised concerns regarding the safety of journalists in its reports on the Democratic Republic of Congo (A/HRC/27/42), Guatemala (A/HRC/28/3/Add.1 and Corr.1), Libya (A/HRC/28/51), South Sudan (A/HRC/28/49 and A/HRC/28/53), Ukraine (A/HRC/27/75) and Yemen (A/HRC/27/44), as well as in summary reports on the safety of journalists (A/HRC/27/35) and on the importance of the promotion and protection of civil society space (A/HRC/27/33). Moreover, the independent experts and special rapporteurs of the Human Rights Council have informed and alerted the Council on issues regarding the safety of journalists in reports on Cambodia (A/HRC/27/70), the Gambia (A/HRC/28/68/Add.4), Myanmar (A/HRC/28/72), Somalia (A/HRC/27/71) and the Sudan (A/HRC/27/69). Increasingly, the Council has inserted language on the safety of journalists in country-specific resolutions, including its resolutions on Belarus (resolution 29/17), the Democratic Republic of Congo (resolution 27/27), Eritrea (resolution 29/18), Libya (resolution 28/30), Myanmar (resolution 28/23), South Sudan (resolution 29/13), the Sudan (resolution 27/29), the Syrian Arab Republic (resolution 27/16) and Yemen (resolution 27/19).

23. International commissions of inquiry mandated by the Human Rights Council have continued to examine issues regarding the safety of journalists. The Independent International Commission of Inquiry on the Syrian Arab Republic found that both "Syrian and international journalists and aid workers have been killed by ISIS in a deliberate attempt to control the flow of information in the areas under its controls. Journalists and activists working to document the violations and abuses suffered by their local communities under ISIS have been denied their special protection under international humanitarian law and have been disappeared, detained, tortured and killed".[13] In its report, the Commission of Inquiry on Human Rights in Eritrea also discussed violations of journalists' rights extensively (A/HRC/29/42 and A/HRC/29/CRP.1). It found that there had been no press freedom in Eritrea since 2001 and that the Eritrean Government had suppressed the emerging free press by closing down independent newspapers and silencing journalists through arrests, detainment, torture and having them disappeared.[14]

24. Special procedures mandate holders of the Human Rights Council have continued to address the situation of journalists in their confidential communications with States as well as in press releases, statements and reports. The

[13] A/HRC/28/69, para. 259; see also: A/HRC/27/60, paras. 13-15, 63 and 114; and A/HRC/28/69, paras. 67, 82-83 and 91.

[14] A/HRC/29/CRP.1, paras. 508-575, 763, 770, 776, 818, 873 and 1530.

three latest communications reports of special procedures,[15] which give an overview of all urgent appeals, letters of allegations and other letters between 1 March 2014 and 28 February 2015, and responses received from States between 1 May 2014 and 30 April 2015, list 31 communications that relate to the safety of journalists, concerning allegations in the following States: Algeria, Azerbaijan (2), Bangladesh, Brazil, Burkina Faso, Egypt (3), Ethiopia (3), Indonesia, the Islamic Republic of Iran (2), Kenya, Kuwait, Malaysia, Maldives, Morocco, Myanmar, Nepal, Nigeria, the Philippines, Sweden, Tajikistan, Thailand, Turkey, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Viet Nam. These communications pertained to a wide variety of allegations relating to journalists, including death threats; incommunicado detention; use of defamation laws to restrict freedom of expression; arbitrary arrest and detention; escalating violence and intimidation; harassment as reprisal for collaborating with United Nations mechanisms; and imminent deportation to places where they may face harassment or attacks. The relevant thematic reports of two Special Rapporteurs have been highlighted in paragraph 16 above.

25. Questions relating to the safety of journalists have increasingly been asked in the context of the universal periodic review, with States sometimes being requested to take urgent protection measures. Issues directly related to the safety of journalists have been raised and specific recommendations have been made to States by their peers in about 70 per cent of State reviews during the nineteenth to twenty-first sessions of the review process, held in 2014 and 2015.[16]

Human rights treaty bodies

26. The United Nations human rights treaty bodies, which assess States' compliance with their obligations under international human rights instruments, also addressed the rights of journalists in their concluding observations following the examination of reports of the States parties. At its 111th (July 2014), 112th (October 2014) and 113th (March 2015) sessions, the Human Rights Committee, which monitors compliance with the International Covenant on Civil and Political Rights, expressed concerns regarding the safety of journalists and made specific recommendations to Burundi (CCPR/C/BDI/CO/2 and Corr.1), Cambodia (CCPR/C/KHM/CO/2), Chad (CCPR/C/TCD/CO/2), Croatia (CCPR/C/HRV/CO/3), Georgia (CCPR/C/GEO/CO/4), Haiti (CCPR/C/HTI/CO/1), Kyrgyzstan (CCPR/C/KGZ/CO/2), Latvia (CCPR/C/LVA/CO/3), Malawi (CCPR/C/MWI/CO/1/Add.1), Montenegro (CCPR/C/MNE/CO/1), Nepal (CCPR/C/NPL/CO/2), the Russian Federation (CCPR/C/RUS/CO/7), Sri Lanka (CCPR/C/LKA/CO/5) and the Sudan (CCPR/C/SDN/CO/4). Issues raised included concerns about reports of killings, threats, harassment or intimidation of journalists in connection with their professional activity; the need for concrete measures to protect journalists; criminalization of defamation; and slow progress or absence of investigation and prosecution of attacks against journalists. The Committee against Torture discussed concerns regarding the safety of journalists and included specific recommendations in its concluding

[15] A/HRC/27/72, A/HRC/28/85 and A/HRC/29/50.

[16] These States include: Albania, Angola, Armenia, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brunei Darussalam, the Democratic Republic of the Congo, the Democratic Republic of Korea, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, the Gambia, Guinea, Iraq, Iran (Islamic Republic of), Italy, Kazakhstan, Kenya, Kiribati, Kyrgyzstan, Kuwait, Lao People's Democratic Republic, Lesotho, Madagascar, Nicaragua, Qatar and Turkey.

observations regarding Montenegro (CAT/C/MNE/CO/2), Thailand (CAT/C/THA/CO/1) and Venezuela (Bolivarian Republic of) (CAT/C/VEN/CO/3-4). The Committee on the Elimination of Discrimination against Women expressed concern about reports of restrictions on the work of women journalists, including some cases of arrest and detention, in Azerbaijan (CEDAW/C/AZE/CO/5).

27. The Human Rights Committee and other human rights treaty bodies also have competence to receive and examine individual communications. However, these complaint mechanisms, which allow for interim measures, are not frequently used for cases concerning the safety of journalists or media workers.[17]

28. The many concerns regarding the safety of journalists in a wide variety of countries and situations that are raised within the United Nations human rights system illustrate that the problem is global, widespread and deeply entrenched. They also indicate that the safety of journalists has become an important human rights concern, and that the United Nations human rights system is increasingly used as an effective mechanism to address it.

C. United Nations agencies, departments, funds and programmes

United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity

29. On 4 November 2014, UNESCO, OHCHR and the Council of Europe co-hosted the Third United Nations Inter-Agency Meeting on the Safety of Journalists and the Issue of Impunity, in Strasbourg, France, to review the implementation of the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity in 2013 and 2014. A review report on the implementation of the Plan of Action, which includes an overview of actions undertaken, was made public.[18] Among the key achievements during 2013 and 2014, the report noted: the reinforcement of the normative framework at United Nations level; the development of regional normative instruments; increased awareness among Member States of the importance of the issue; and the implementation of specific actions in a number of States. Overall, the report concluded that more needs to be done, especially at the national level. It was considered that the United Nations Plan of Action would remain relevant for the next four years.

30. The review report made several recommendations, including: (a) global and regional momentum to be paralleled by, and feed into, localized mechanisms; (b) safety of journalists to be better mainstreamed into the work of respective United Nations agencies; (c) increased action at country-level by the United Nations and regional organizations; and (d) more sustained involvement of national human rights institutions in the implementation of the United Nations Plan of Action. In a separate declaration, civil society organizations reaffirmed their support and recommended a stronger focus on engaging stakeholders at local levels, greater

[17] On 29 October 2014, the Human Rights Committee adopted views in the case of a Nepalese journalist who was detained incommunicado in 2004, concluding that the detention amounted to an enforced disappearance and had violated several provisions of the International Covenant on Civil and Political Rights: see CCPR/C/112/D/2051/2011.

[18] See www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/news/3rd_interagency_meeting_statement_civil_society.pdf.

consistency and better coordination in actions at country level, and further development of national mechanisms.

Standard-setting

31. Decision 196 EX/31 on the safety of journalists and the issue of impunity, adopted by the Executive Board of UNESCO at its 196th session in April 2015, further strengthened the existing international standards regarding the safety of journalists. In that decision, the Executive Board unequivocally condemned all attacks and violence against journalists, media workers and social media producers.

Awareness-raising

32. The General Assembly, in its resolution 68/163, proclaimed 2 November as the "International Day to End Impunity for Crimes against Journalists". UNESCO led the inaugural commemoration of the International Day in 2014 with an event at the European Court of Human Rights. The event brought judges and lawyers together with representatives from the media, civil society, Governments and United Nations offices to discuss the prevailing impunity for crimes against journalists. On that occasion, a message from the High Commissioner for Human Rights was transmitted and disseminated through social media. In 2015, UNESCO will organize a similar event at the Inter-American Court of Human Rights.

33. On 3 May 2015, on the occasion of the annual World Press Freedom Day, the Secretary-General, the United Nations High Commissioner for Human Rights and the Director-General of UNESCO issued a joint message.[19] The event celebrates the fundamental principles of press freedom and pays tribute to journalists, especially those who have lost their lives in the line of duty. The 2015 conference on World Press Freedom Day, organized by UNESCO in Latvia from 2 to 4 May, was devoted to the theme "Let Journalism Thrive! Towards Better Reporting, Gender Equality, and Media Safety in the Digital Age". UNESCO field offices and other press freedom advocates held 80 to 100 local celebrations across the world. The annual UNESCO/Guillermo Cano World Press Freedom Prize, honouring a person, organization or institution which has made an outstanding contribution to the defence and/or promotion of press freedom, was awarded to the Syrian journalist Mazen Darwish.

34. To further raise awareness of the issue of the safety of journalists and impunity, UNESCO named the chief international correspondent of the Cable News Network (CNN), Christiane Amanpour, as its first Goodwill Ambassador for Freedom of Expression and Journalist Safety.

Measurement and assessments

35. UNESCO has developed "journalists' safety indicators" to enable the comprehensive assessment and collection of crucial baseline data on the safety of journalists and impunity at the country level. Such information is to guide policymaking and allow progress measurement. The first three pilot assessments of the indicators were conducted in Guatemala, Honduras and Pakistan by local or regional research institutions. These assessment reports have been finalized and are

[19] See www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/WPFD/Joint_Message_WPFD_2015_EN.pdf.

being used in discussions with national stakeholders. In the first half of 2015, new assessments were launched in Iraq, Kenya and Nepal and another assessment is planned in Myanmar in early 2016. In addition to these official assessments, two preliminary journalists' safety assessments were carried out locally in Liberia and Nigeria.

Supporting capacity-building

36. UNESCO and Reporters without Borders updated a practical guide for the safety of journalists of 1998 and translated it into multiple languages. UNESCO organized workshops on physical and digital safety and continued to support the training of hundreds of journalists annually around the globe, especially women journalists.

37. Since 2013, UNESCO has collaborated with supreme courts in Latin America, including the Supreme Courts of Brazil and Mexico, to create a training programme for judges and lawyers on the safety of journalists. In October 2014, UNESCO, together with the Mexican Supreme Court and the Knight Center for Journalism in the Americas at the University of Texas, created a "massive online open course" targeted at officials of the Mexican judicial system. Within one month, more than 800 individuals had taken part in the course, and 250 had completed it and received certificates. The supreme courts of other countries in the region, including Chile, Paraguay and Uruguay, have also shown interest in replicating the course.

38. In Tunisia, UNESCO and OHCHR, in cooperation with the Tunisian Ministry of Interior, have trained security forces on freedom of expression and respect for freedom of the press in practice, including during public demonstrations. UNESCO has updated its model curricula for journalism education, which now includes the subject of the safety of journalists as a specialized course for journalism students. In April 2015, UNESCO convened an expert meeting with representatives of universities in Lebanon, the Syrian Arab Republic and Yemen to develop a course on the safety of journalists based on the model curricula.

39. OHCHR continued to work with national-level actors to address the human rights issues most relevant to journalists, including their safety. In Mexico, it supported the national protection mechanism for journalists and human rights defenders, and in Guatemala and Honduras it provided technical assistance for the creation of such a mechanism. OHCHR intervened with authorities in numerous cases involving journalists, for example in Cambodia. It convened a number of workshops, including a workshop in Madagascar to develop a draft media code and one in Togo on the professionalization of the media. In Tunisia it completed a study on the prosecution of journalists. OHCHR, alone or with partner organizations, also delivered numerous training courses for journalists on human rights issues, including issues pertaining to their own safety.

D. Regional and other organizations

40. Important initiatives undertaken by the many regional and other organizations that are active in promoting the safety of journalists and media workers are described below.

41. The African Commission on Human and Peoples' Rights expressed grave concern about violations of journalists' rights in a number of its country-specific resolutions.[20] African regional courts rendered a number of notable decisions. For instance, on 10 June 2014, the Community Court of Justice of the Economic Community of West African States found that the Government of the Gambia had failed to conduct an effective and impartial investigation into the murder of a journalist. In its decision, the Court awarded the victim's family compensation for their loss, highlighting the obligations of States in addressing violations.[21] On 5 December 2014, the African Court on Human and Peoples' Rights delivered a ground-breaking judgement in the Konaté v. Burkina Faso case, which was brought by a journalist. It ruled that imprisonment for defamation violates the right to freedom of expression and ordered the Government of Burkina Faso to change its criminal defamation laws.[22] On 28 May 2015, the East African Court of Justice, in a case brought by the Burundian Journalists Union, ruled that parts of Burundi's Press Law, which had been used to stifle the work of journalists, were in violation of the fundamental principles of democracy and the rule of law, of which freedom of expression was considered an essential component.[23] These judgements demonstrate that African regional courts are effective instruments for journalists to seek redress and that they will help set standards for press freedom in the region.

42. The Council of Europe, in cooperation with five partner organizations,[24] launched an Internet platform allowing partner organizations issue alerts concerning threats to journalists and press freedom, thus enabling the Council to take timely action. Follow-up actions as well as responses received from Member States are included on the platform. The platform was publicly launched on 2 April 2015 and, in the first four weeks alone, reports on more than 40 incidents were verified. The platform is the first of its kind to be created and operated in cooperation between a regional intergovernmental organization, journalists' organizations and other non-governmental organizations.

43. The 2014 annual report of the Office of the Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights (Organization of American States) contains findings on violence against journalists and media outlets and a list of recommendations for Member States.[25] The Representative on Freedom of the Media of the Organization for Security and Cooperation in Europe (OSCE) continued her observation of media developments in participating States and her activities in promoting full compliance with the OSCE principles regarding freedom of expression and free media. She also performed an early warning function and provided rapid response in cases of serious non-compliance. The Representative has shared her observations and recommendations with OSCE member States on two occasions.[26] On the occasion of World Press Freedom Day in 2015, the Special Rapporteur for Freedom of Expression, the Representative on Freedom of the

[20] Resolution 286 (2014) on freedom of expression in Swaziland; and resolutions 287 (2015) and 297 (2015) on the deteriorating human rights situation in Egypt.

[21] See www.opensocietyfoundations.org/sites/default/files/Hydara%20Judgment.pdf.

[22] See www.african-court.org/en/images/documents/Judgment/Konate%20Judgment%20Engl.pdf.

[23] http://eacj.org/wp-content/uploads/2015/05/Reference-No.7-of-2013-Final-15th-May-2c-2015-Very-Final1.pdf.

[24] ARTICLE 19, the Association of European Journalists, the European Federation of Journalists, the International Federation of Journalists and Reporters Without Borders.

[25] See www.oas.org/en/iachr/expression/docs/reports/annual/Annual%20Report%202014.pdf.

[26] Reports available from: www.osce.org/fom/119957 and www.osce.org/fom/127656.

Media, the Special Rapporteur on Freedom of Expression and Access to Information of the African Commission on Human and Peoples' Rights and the Special Rapporteur of the Human Rights Council on the promotion and protection of the right to freedom of opinion and expression issued a joint declaration on freedom of expression and responses to conflict situations.[27]

44. The International Committee of the Red Cross (ICRC) continued to operate its hotline for journalists deployed to dangerous situations, through which journalists, their families and media organizations can request ICRC assistance if a journalist is arrested, wounded, detained, missing or killed. The average number of hotline requests is 15 per year, and most recent requests are in relation to the Syrian Arab Republic. The ICRC also continued to conduct training on international humanitarian law and journalist protection.

45. Non-governmental organizations and civil society actors play a critical role in a number of ways, including by: documenting violence against journalists; raising awareness; reporting; assisting in legislative and policy developments related to the protection of journalists; training; and providing direct assistance. The review report on the implementation of the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity provides an overview of recent efforts undertaken by civil society organizations in this regard.[18]

E. Initiatives at the national level

46. In response to the request of OHCHR, Member States, national human rights institutions and civil society organizations submitted information about a wide range of initiatives at the national level aimed at ensuring the safety of journalists.[28]

International Day to End Impunity for Crimes against Journalists

47. Several submissions described specific events or actions undertaken to mark the International Day to End Impunity for Crimes against Journalists. Colombia stated that it had celebrated the International Day by holding an event in Bogotá. Greece reported that its Permanent Mission to the United Nations in New York had organized, together with the Permanent Missions of Argentina, Austria, Costa Rica, France and Tunisia, a high-level panel discussion on the theme, "Ending impunity: upholding the rule of law". The Netherlands indicated that its Minister for Foreign Affairs had issued a public statement calling upon the international community to tackle impunity for violence against journalists. It also organized a debate on the safety of journalists in the Middle East. Qatar reported that the Doha Centre for Media Freedom had organized a forum entitled "Towards Ending Impunity", which brought together media and legal experts to develop concrete suggestions on how to combat impunity for crimes against journalists. The forum resulted in the Doha Action Plan for Combating Impunity, which included proposals such as the establishment of a fund to support families of journalists who were killed or injured after being targeted, the coordination of lobbying efforts and awareness-raising activities to increase political will and the establishment of a position for a special rapporteur for crimes against journalists. Lebanon reported that it intends to

[27] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15921&LangID=E.

[28] This section provides only a summary of the responses received; the full texts are available in the files of the Secretariat.

organize an event during the year, and Serbia announced plans to publish results in the investigation of unresolved murder cases.

48. The national human rights institutions of Chile, Colombia and Guatemala reported that they had issued special statements or news stories to mark the International Day, and the International Federation of Journalists reported that it had launched a Twitter campaign, urging Heads of States and Governments of the countries where journalists face the most danger to take concrete action for their protection.

Measures to prevent violence against journalists and to create a safe and enabling environment

49. Several States and organizations reported that they had publicly condemned specific incidents of attacks against journalists.

50. In terms of monitoring and reporting attacks against journalists, Bosnia and Herzegovina reported that the Association of BH Journalists had launched a study on crimes against journalists in the country during the period from 2006 to 2014. It found that 60 criminal acts had been committed against journalists, only 9 (15%) of which had been prosecuted Guatemala recalled that its body for the analysis of attacks against human rights defenders had become operational in 2007 and that it meets on a weekly basis. Slovakia stated that its crime data included some cases of verbal attacks on journalists by politicians and excessive financial compensation sought by politicians in defamation cases. Ukraine reported that its Ministry of Internal Affairs monitored criminal cases, and that from 2010 to 2015, there had been 1,366 cases of criminal offences against journalists (632 unresolved as of 19 May 2015). The Colombian ombudsperson reported that its early alert system had issued warnings regarding risks for journalists in eight departments in Colombia. The Guatemalan national human rights institute reported that its research department maintained a daily record of attacks against journalists.

51. Several States provided information on their legal frameworks regarding freedom of expression and press freedom. El Salvador, Georgia, Lithuania and Ukraine highlighted specific provisions in their legislation criminalizing violence against journalists or making the targeting of journalists an aggravating circumstance. El Salvador reported that it had decriminalized defamation and other acts against the reputation of individuals or entities. Morocco stated that it had developed a draft press code and that it was examining a draft law on access to information. Ukraine reported that it was considering a draft law to strengthen guarantees for the lawful professional activities of journalists. Zambia stated that it was drafting a comprehensive media and information Policy to address issues regarding the safety of journalists and impunity.

52. Colombia reported that the Directorate of its National Prosecutor's Office that specialized in transitional justice had created an action plan for priority situations and cases in 2013 and 2014. The plan prioritized investigations of serious violations of the rights of journalists. Lithuania reported that its police, in cooperation with the Lithuanian Journalists Association, had taken measures to create a safer environment for journalists. The United States reported that it had convened a conference to discuss concrete steps to address gaps in resources and in safety training for journalists working in conflict zones. The national human rights institution of Chile reported that in August 2014, the national police force had

disseminated its protocols for maintaining public order, including one on treatment and dialogue with the media, calling for respect and restraint in police action. The Greek national human rights institution stated that, in April 2012, the Greek police had issued guidelines for cooperation between police officers and representatives of the mass media, while noting that they had not been effective.

53. In terms of training and awareness-raising, Colombia stated that it had sponsored intensive training in human rights and international humanitarian law for public servants, and that its police and military also received training on human rights issues. Guatemala reported that it had developed seven training workshops on the safety of journalists and that the Ministry of Interior had organized a seminar to identify risks that journalists (among others) were subjected to. Georgia reported that the Ministry of Interior provided training courses to police recruits on media relations, including the rights of journalists and the obligations of police officers towards journalists. Slovakia reported that its judicial academy regularly organized events and/or training activities for judges and prosecutors that include issues pertaining to the safety of journalists. Zambia reported that it provided workshops through which public and other stakeholders are sensitized and educated on the need to ensure press freedom. The national human rights institution of Mexico reported that it had provided several training courses and workshops on the human rights of journalists, including one on protection mechanisms for human rights defenders and journalists aimed at those intending to work in the State police department.

54. Bosnia and Herzegovina reported that the Association of BH Journalists had held a special "journalists' academy" in 2014, with 80 participants. The event provided training on the rights and obligations of journalists in the context of the pre-election campaign for a number of journalists and students. The United States reported that its Internet freedom programmes had provided tools and training to vulnerable civil society and independent journalists around the world and had helped to train over 10,000 at-risk journalists and human rights defenders on digital safety. The Bolivarian Republic of Venezuela stated that since 2013 its national prosecutor's school had offered three human rights programmes for journalists. It had also provided training on human rights to members of the police and the military. The Organization of Islamic Cooperation reported that it had issued resolutions calling for the strengthening of the capacity of journalists and media institutions, including through training programmes for media practitioners on issues such as human rights.

Measures taken to ensure accountability for violence and attacks against journalists

55. Colombia reported that in 2014, the Directorate of the National Prosecutor's Office that specialized in human rights and international humanitarian law had 36 open cases, of which 20 were in the investigative or preliminary phase and 15 were under investigation, with 64 arrests ordered, and 21 individuals convicted. Serbia stated that its Commission for the Investigation into the Murders of Journalists, established in 2013, continued its work, and that several working groups within the Ministry of Interior and the police have worked on unresolved cases. It reported that the Appellate Court in Belgrade had confirmed the indictment against four members of the State Security Service, which was charged with the murder of Slavko Curuvija, a journalist who was killed in 1999.

56. The ombudsperson of Azerbaijan reported that she paid attention to developments concerning freedom of expression and followed up on cases of poor treatment of journalists. The ombudsperson of Georgia reported that since May 2014, four cases related to journalists had been examined. In three of those cases, the Prosecutor's Office had launched an investigation. The ombudsperson also referred to the national human rights strategy for 2014-2020 and the action plan for Georgia, which underline the importance of the prompt and effective investigation of interference with the professional activities of journalists.

Mechanisms to protect journalists and their families when under threat

57. Colombia reported that its National Protection Unit, the entity responsible for the provision of protection to certain categories of people, provides protection schemes to 104 journalists. Journalists were also considered a priority group in the programme of collective reparation, as journalists were considered to have been highly victimized in the country's long armed conflict. Guatemala reported that, following the 2013 agreement on the establishment of a "journalists' protection programme", a preliminary draft was approved in 2015, which was to be reviewed in regional consultations in May 2015.

58. Bosnia and Herzegovina stated that it received 100 to 120 calls on its free media help line annually. These requests go to a network of lawyers who provide information and help solve problems. The help line also provides free legal assistance to journalists whose rights have been violated. Jordan reported that the Jordanian Journalist Union operates a hotline for journalists and has a team of pro bono lawyers defending journalists before the courts.

59. Lithuania and Slovakia reported that their respective laws on compensation for damage caused by violent crimes also applied to violent crimes against journalists. The Association of BH Journalists had its own solidarity fund allowing for one-time assistance to journalists who have been victims of violence. The International Federation of Journalists reported that it operated an International Safety Fund, which had been a lifeline to many journalists.

V. Conclusions and recommendations

60. **All conclusions and recommendations formulated in my first report (A/69/268) remain relevant and must be implemented.**

61. **The wide variety of countries and contexts in which concerns regarding the safety of journalists arise reveal that the problem is global, widespread and deeply entrenched. I am deeply concerned about the failure to reduce the frequency and scale of targeted violence that journalists face and the near absolute impunity for such crimes.**

62. **Journalists and media workers fulfil an important role in societies. Independent journalism and media are the building blocks of a healthy democracy and the rule of law. Journalists must be given access to adequate training and be supported to develop the skills needed to fulfil their role, in line with the highest standards of professionalism. Ensuring their safety is critical.**

63. **Journalists are at risk of terrorist and other violent attacks, but they also see their rights curtailed in the context of the counter-terrorism efforts of many**

States. In responding to security threats, State measures must be grounded, at all times, in respect for international human rights law. States should review their counter-terrorism measures, including legislation, detention policies, criminal justice rules and practices, surveillance programmes and limitations on freedom of expression, to bring them fully into line with their obligations under international human rights law and to ensure that the rights of journalists and media workers are fully respected.

64. While the digital world has expanded the capacity of journalists and media workers to operate, it has also posed particular challenges for their work. Human rights apply in all circumstances, both online and offline. I urge States to promote, respect and protect the rights of journalists and media workers in the digital world, paying particular attention to their rights to freedom of expression and privacy. Insofar as they enable journalists' freedom of expression, anonymity and encryption deserve protection and should not be unreasonably restricted. Governments, relevant United Nations offices, experts, academics and civil society organizations should further study and address the challenges faced by journalists in the digital world, in an effort to identify ways to ensure better protection.

65. In combating impunity, existing norms must be implemented more effectively. States must provide compliance mechanisms at the domestic, regional and international levels, with the capacity and resources to pay systematic attention to the safety of journalists and media workers. Deeply concerned about the pervasive impunity, I also encourage States, on a voluntary basis, to share information on the status of investigations into attacks and violence against journalists and media workers with the relevant mechanisms.

66. I further invite States and other stakeholders, including civil society organizations, to continue to put the safety of journalists on the agenda of the United Nations human rights system. States should actively engage with the Human Rights Council and its mechanisms on issues pertaining to the safety of journalists and duly consider and act upon the recommendations addressed to them. I encourage journalists and media workers whose rights have been violated and who cannot find redress domestically to consider using the relevant United Nations human rights mechanisms as an avenue to seek justice.

67. I commend the initiatives taken by Member States as well as by regional organizations to strengthen freedom of expression and protection and the safety of journalists and media workers. I call on all Member States to fully cooperate with the specific mechanisms and initiatives for the safety and protection of journalists and media workers created by the regional organizations. Where it does not exist, States should consider establishing a regional mandate on freedom of expression and the safety of journalists. States, regional organizations and mechanisms, civil society organizations and media organizations are invited to examine the Internet platform for the protection of journalists operated by the Council of Europe and to take similar initiatives, as appropriate.

68. I request that the missions mandated by the Security Council pay particular attention to the issue of safety of journalists and media workers in the context of their mandates to protect civilians and, in line with Security

Council resolution 2222 (2015), to include information on attacks and violence against journalists and media workers, and actions taken to prevent such incidents, in their relevant country reports.

69. **I further call on States, relevant United Nations offices, regional organizations and mechanisms, as well as civil society organizations to redouble their efforts to implement the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity, in particular by ensuring that the protection of journalists is improved at national and local levels.**